

County of Santa Barbara
BOARD OF SUPERVISORS



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First District - Das Williams
Second District - Laura Capps, Vice Chair
Third District - Joan Hartmann
Fourth District - Bob Nelson
Fifth District - Steve Lavagnino, Chair

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, February 6, 2024

9:00 AM

**COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 EAST ANAPAMU STREET, SANTA BARBARA**

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: www.countyofsb.org.

9:00 A.M. Convened to Regular Session

Roll Call

Present: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

Pledge of Allegiance

Approval of Minutes of the January 23, 2024 Meeting

A motion was made by Supervisor Hartmann, seconded by Supervisor Nelson, to approve the minutes. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

County Executive Officer's Report

24-00001

County Executive Officer’s Report: Receive a report from the County Executive Officer (CEO) on County programs, County staff updates and achievements, staff recognitions, updates on major projects, updates on state and federal legislation, and upcoming events of interest to the Board and the public. There will be no Board discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda.

County Executive Officer, Mona Miyasato introduced Undersheriff Craig Bonner from the Sheriffs Office, Fire Chief Mark Hartwig, Chris Sneddon and Walter Rubalcava from Public Works, General Services Department Director Kirk Lagerquist, and Office of Emergency Management Director Kelly Hubbard to provide an update on the February 2024 Storms in Santa Barbara County.

12:00 P.M. Recessed to Closed Session

Closed Session

24-00142

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
(Paragraph (4) of subdivision (d) of Government Code section 54956.9)

Deciding whether to initiate civil litigation: 1 case.

Report from Closed Session

No reportable action taken.

X-Agenda Request

X-1) COUNTY EXECUTIVE OFFICE

[24-00161](#)

Consider recommendations regarding the Ratification of a Proclamation of Local Emergency Caused by the February 2024 Storm, as follows: (4/5 Vote Required)

a) Find that due to a series of storms that began on January 31, 2024 (“February 2024 Storm”), an emergency situation exists pursuant to Government Code Sections 54954.2 and 54956.5 that requires immediate action, with need for action following posting of the agenda for this meeting (4/5 vote required);

b) Receive an update on the February 2024 Storm and its potential impacts on specific areas of the County;

c) Adopt a Resolution ratifying the Proclamation of Emergency declared by the Director of Emergency Services on February 4, 2024 when the Board of Supervisors was not in session, pursuant to Government Code Section 8550 et seq. and Chapter 12, Section 12-5(a) of the Santa Barbara County Code;

d) Direct the Office of Emergency Management to return every sixty (60) days for ratification of the emergency until such time that conditions dictate otherwise; and

e) Determine that these actions are exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15269.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be acted on as follows: The Santa Barbara County Board of Supervisors determined that the need to take immediate action arose after the Agenda was posted and approved the X-Agenda item to be heard per Government Code Section 54954.2.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be acted on as follows:

- a) Approved;
- b) Received and filed;
- c) Adopted;

RESOLUTION NO. 24-15

- d) Directed; and
- e) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Administrative Agenda

All matters listed hereunder constitute a consent agenda, and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the Administrative Agenda and considered as a separate item.

Resolutions to be Presented

A-1) SUPERVISOR LAVAGNINO [24-00139](#)

Adopt a Resolution of Commendation honoring Michelle Perez-Ybarra of the Probation Department as the February 2024 Employee of the Month in Santa Barbara County.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.

RESOLUTION NO. 24-16

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-2) SUPERVISOR WILLIAMS [24-00137](#)

Adopt a Resolution in support of the Amhara people of Ethiopia.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be withdrawn from the agenda. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-3) SUPERVISOR CAPPS [24-00136](#)

Adopt a Resolution proclaiming the Month of February 2024 as Black History Month in Santa Barbara County.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.

RESOLUTION NO. 24-17

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-4) SUPERVISOR HARTMANN [24-00138](#)

Adopt a Resolution proclaiming the week of February 4, 2024 through February 10, 2024 as Scouts' Week in Santa Barbara County.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.

RESOLUTION NO. 24-18

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-5) SUPERVISOR NELSON, SUPERVISOR LAVAGNINO [24-00131](#)

Adopt a Resolution proclaiming February 2024 as CommUnify’s 2-1-1 Community Celebration Month in Santa Barbara County.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.

RESOLUTION NO. 24-19

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Honorary Resolution

A-6) SUPERVISOR HARTMANN [24-00135](#)

Adopt a Resolution of Commendation honoring Darrin Eisenbarth upon his retirement from the Public Health Department after over 30 years of faithful and dedicated service to the citizens of Santa Barbara County.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be adopted.

RESOLUTION NO. 24-20

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Administrative ItemsA-7) BEHAVIORAL WELLNESS DEPARTMENT[24-00126](#)

Consider recommendations regarding a Second Amendment to the Crestwood Behavioral Health, Inc., Fiscal Years (FYs) 2020-2024 Service Agreement for Champion Healing Center Mental Health Rehabilitation Center (MHRC) Services, as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the Chair to execute a Second Amendment to the Agreement for Services of Independent Contractor with Crestwood Behavioral Health, Inc., a Delaware corporation (not a local vendor), (BC 20-147) for the provision of additional in-County Mental Health Rehabilitation Center services for justice involved conservatees and to increase the contract amount by \$531,440.00 for FY 2023-2024 for a new total maximum contract amount not to exceed \$17,887,440.00 for the period of October 5, 2020 to June 30, 2024, inclusive of \$3,291,000.00 for FY 2020-2021; \$4,665,000.00 for FY 2021-2022; \$4,400,000.00 for FY 2022-2023; and \$5,531,440.00 for FY 2023-2024;
- b) Approve Budget Revision Request No. 0009396 to establish appropriations of \$531,440.00 in Behavioral Wellness Mental Health Services Fund for Services/Supplies, funded by an operating transfer from the Probation Department General Fund, and to increase appropriations of \$531,440.00 in Probation Department General Fund for Other Financing Uses, funded by the release of the Restricted Local Realignment 2011 fund balance for an operating transfer to Behavioral Wellness Mental Health Services Fund;
- c) Delegate to the Director of the Department of Behavioral Wellness or designee the authority to make immaterial changes to the Agreement per Section 25 of the Agreement; adjust the daily rate for special services to accommodate clients with acute needs, additional monitoring, or medical complexity and reallocate funds between funding sources per Exhibits B and B-1s; and amend the program goals, outcomes, and measures per Exhibit Es, all without altering the maximum contract amount and without requiring the Board's approval of an amendment of the Agreement, subject to the Board's ability to rescind this delegated authority at any time; and
- d) Determine that the above actions are government funding mechanisms or other government fiscal activities that do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines.

A motion was made by Supervisor Capps, seconded by Supervisor Williams, that this matter be acted on as follows:

- a) Approved, ratified and authorized; Chair to execute;
- b) Approved;
- c) Delegated; and
- d) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-8) COMMUNITY SERVICES DEPARTMENT

[24-00123](#)

Consider recommendations regarding a replacement lease with the California State Lands Commission for the placement of swim buoys and a new swim platform in the Pacific Ocean in Santa Barbara County and new license with Miramar Acquisition Co., LLC, for the placement of a new swim platform at Miramar Beach, as follows:

- a) Approve and authorize the Director of the Community Services Department to execute Lease No. PRC 7082 between the County of Santa Barbara and the State of California, acting by and through the California State Lands Commission, for seasonal placement and maintenance of swim and channel marker buoys in the Pacific Ocean at Arroyo Burro Beach, Goleta Beach, Lookout Beach, Miramar Beach and Butterfly Beach, and a swim platform at Miramar Beach, in Santa Barbara County;
- b) Approve and authorize the Chair to execute the Master Agreement and License Agreement with Miramar Acquisition Co., LLC for the seasonal placement and maintenance of a swim platform at Miramar Beach; and
- c) Determine that the above recommended actions are exempt from review under the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15265 and Section 15311, subdivision (c), since the activities consist of the placement of seasonal or temporary use items in generally the same locations from time to time in publicly owned areas designed for public use, and direct staff to file a Notice of Exemption.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be acted on as follows:

- a) Approved and authorized;**
- b) Approved and authorized; Chair to execute; and**
- c) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-9) COUNTY EXECUTIVE OFFICE [24-00116](#)

Approve the appointment of Nancy Anderson, Chief Assistant County Executive Officer, as the County Member to the Santa Barbara Countywide Oversight Board related to redevelopment successor agency activity.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-10) COUNTY EXECUTIVE OFFICE [24-00140](#)

Approve Budget Revision Request No. 0009533 (Majority Vote Required); and Budget Revision Request Nos. 0009498; 0009520; 0009524; 0009527; 0009531; 0009537; and 0009543. (4/5 Vote Required)

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-11) GENERAL SERVICES DEPARTMENT[24-00121](#)

Consider recommendations regarding amendments to Agreements for Services of Independent Contractor: Amendment 3 with Turner and Townsend Heery, LLC, Amendment 2 with Skanska USA Building Inc., and Amendment 8 with Kitchell/CEM, Inc., as follows:

- a) Approve, ratify, and authorize the Chair to execute Amendment No. 3 (Turner and Townsend Amendment) to the Agreement for Services of Independent Contractor with Turner and Townsend Heery, LLC (Turner and Townsend Agreement), incorporating applicable required federal provisions;
- b) Approve, ratify, and authorize the Chair to execute Amendment No. 2 (Skanska Amendment) to the Agreement for Services of Independent Contractor with Skanska USA Building Inc. (Skanska Agreement), increasing the maximum compensation payable under the Skanska Agreement from \$1,225,000.00 to \$1,645,000.00 (an increase of \$420,000.00) to provide additional Consulting and Project Management Services;
- c) Approve, ratify, and authorize the Chair to execute Amendment No. 8 (Kitchell Amendment) to the Agreement for Services of Independent Contractor with Kitchell/CEM, Inc. (Kitchell Agreement), incorporating applicable required federal provisions;
- d) Per Government Code Section 31000, find that the services being provided in these agreements are considered “special services” as they are architectural and engineering in nature; and
- e) Find that the recommended actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Sections 15378(b)(4) and 15378(b)(5) of the CEQA Guidelines, because they consist of administrative and fiscal activities of government that will not result in direct or indirect physical changes in the environment.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be acted on as follows:

a) through c) Approved, ratified and authorized; Chair to execute; and

d) and e) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-12) GENERAL SERVICES DEPARTMENT24-00127

Consider recommendations regarding Hedges House of Hope Kitchen Renovation, Project No. 20060 Construction Contract Amendment, Second District, as follows: (4/5 Vote Required)

a) Approve, ratify, and authorize the Chair to execute Amendment No.1 to Board Contract 22284 with Quincon Inc. for the Hedges House of Hope Kitchen Renovation increasing the Base Contract Amount payable thereunder by \$531,538.69, for an amended Base Contract Amount of \$1,957,266.69;

b) Authorize the Director of General Services to approve change orders in the aggregate amount not to exceed \$83,786.40, as authorized under California Public Contract Code Section 20142;

c) Approve offsetting funding adjustments to American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Fund (SLFRF) Health and Human Services projects from Homekey Match (\$30,076.00) and Homeless Encampment Strategy (\$269,924.00) to Hedges House of Hope (\$300,000.00);

d) Approve Budget Revision Request No. 0009545 to establish appropriations of \$300,000.00 for Fiscal Year (FY) 2023-2024; and

e) Find that this project continues to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15301, subdivision (d) of the CEQA Guidelines, as the project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, and includes (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood and that a Notice of Exemption on these bases was approved by the Board on May 16, 2023 and filed.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be acted on as follows:

a) Approved, ratified and authorized; Chair to execute;

b) Authorized; and

c) through e) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-13) HUMAN RESOURCES DEPARTMENT**24-00114**

Consider recommendations regarding Service Employees International Union, Local 620, Equity Adjustments, as follows:

- a) Approve the Tentative Agreement between the County and the Service Employees International Union, Local 620, for equity wage adjustments that range between 2.25% and 5% for certain classifications with salaries that are between 5.17% and 25.09% below market in base pay to be effective February 5, 2024; and
- b) Determine pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above action is a government fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and therefore is not a project subject to environmental review.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be acted on as follows:

a) and b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-14) INFORMATION TECHNOLOGY DEPARTMENT**24-00133**

Consider recommendations regarding an agreement for Services of Independent Contractor with BMAK, Inc., dba CompuWave, as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the Chair to execute the Agreement with BMAK, Inc., dba CompuWave to procure annual infrastructure maintenance and support in an amount not to exceed \$277,370.10, beginning December 23, 2023 through January 31, 2025;
- b) Approve Budget Revision Request No. 0009541 that increases appropriations by \$277,371.00 in the Information Technology Department funded by a release of unreserved retained earnings; and
- c) Determine that the above recommended actions are government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment and is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be acted on as follows:

- a) Approved, ratified and authorized; Chair to execute; and**
- b) and c) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-15) PLANNING AND DEVELOPMENT DEPARTMENT

[24-00122](#)

Consider recommendations regarding a report on Case Number 23EMP-00017: Emergency Permit to allow the repair of SoCal Gas’ natural gas transmission pipeline 247, Third District; as follows:

- a) Receive and file a report on Emergency Permit Case No. 23EMP-00017, approved by the Director of Planning and Development on September 11, 2023, which authorized the excavation and repair of gas transmission pipeline Line 247; and
- b) Determine that receiving and filing the report is not a project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5), as it is an administrative government activity that will not result in direct or indirect physical changes in the environment.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be acted on as follows:

- a) Received and filed; and**
- b) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-16) PUBLIC WORKS DEPARTMENT [24-00124](#)

Consider recommendations regarding statements of final quantities for Jalama Road Culvert Replacement at Mile Post 4.3, County Project No. 862415, Third District, as follows:

- a) Approve and authorize the Chair to execute the Statement of Final Quantities for: Jalama Road Culvert Replacement at Mile Post 4.3; and
- b) Determine that the Statement of Final Quantities is an administrative activity that will not result in direct or indirect physical changes in the environment, and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378(b)(5).

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be acted on as follows:

- a) **Approved and authorized; Chair to execute; and**
- b) **Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-17) PUBLIC WORKS DEPARTMENT [24-00118](#)

Consider recommendations regarding Statements of Final Quantities for Bella Vista Low Water Crossing Replacement, 2021-2022 Countywide Pavement Rehabilitation, and 2021-2022 Pavement Preservation and Preventative Maintenance, County Project Nos. 830358, 820738 and 820722, as follows:

- a) Approve and authorize the Chair to execute the Statements of Final Quantities for:
 - i) Bella Vista Low Water Crossing Replacement, Project No. 830358 in the First District;
 - ii) 2021-2022 Countywide Pavement Rehabilitation, Project No. 820738 in All Districts; and
 - iii) 2021-2022 Pavement Preservation and Preventative Maintenance, Project No. 820722 in All Districts; and
- b) Determine that the approval of the Statements of Final Quantities is an administrative activity that will not result in direct or indirect physical changes in the environment, and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378(b)(5).

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be acted on as follows:

a) i) through iii) Approved and authorized; Chair to execute; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-18) PUBLIC WORKS DEPARTMENT

[24-00132](#)

Consider recommendations regarding a Public Works Director's Report on Emergency Response Actions from Impacts of Flooding and Storms and Continuation of Emergency Actions, as follows: (4/5 Vote Required)

- a) Receive and review a report from the Public Works Director regarding emergency actions taken pursuant to Resolution No. 19-327 and Public Contract Code Section 22050 related to emergency operations responding to flooding, storms, debris removal and transportation projects following the recent storm events and the necessity of the action and the reasons the emergency will not permit delay resulting from competitive solicitation of bids;
- b) Determine that there is a need to continue the emergency actions ordered by the Public Works Director;
- c) Direct staff to return to the Board at the next regular meeting, or every 14 days in the case of consecutive weekly regular meetings, to allow the Board to review the emergency action and determine whether there is a need to continue the emergency action, by a 4/5 vote, until the actions are terminated; and
- d) Determine that these emergency actions were found by the Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15269(d) on February 7, 2023. A Notice of Exemption was filed on this basis on February 7, 2023, and the proposed action is within the scope of that Notice of Exemption.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be acted on as follows:

- a) Received and reviewed;
- b) Approved;
- c) Directed; and
- d) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-19) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT 24-00134

Consider recommendations regarding a Public Works Director's Report on Emergency Response Actions from Impacts of Flooding and Storms and Continuation of Emergency Actions, Various Districts, as follows: (4/5 vote required)

Acting as the Board of Directors, Flood Control and Water Conservation District:

- a) Receive and review a report from the Public Works Director regarding emergency actions taken pursuant to Resolution No. 19-327 and Public Contract Code Section 22050 related to emergency operations responding to flooding, storms, and debris removal projects following the 2023 winter storm events and the necessity of the action and the reasons the emergency will not permit delay resulting from competitive solicitation of bids;
- b) Determine that there is a need to continue the emergency actions ordered by the Public Works Director (4/5 vote required);
- c) Direct staff to return to the Board every 14 days to allow the Board to review the emergency action and determine whether there is a need to continue the emergency action, by a 4/5 vote, until the actions are terminated; and
- d) Determine that these emergency actions were found by the Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15269(c) and a Notice of Exemption was filed on this basis on January 24, 2023, and the proposed action is within the scope of that Notice of Exemption. Also determine that emergency actions for the Santa Maria River Restoration of Alignment Project were found by the Board to be exempt from the provisions of the State CEQA pursuant to Executive Order N-10-23, as well as State CEQA Guidelines Section 15269(c) on September 12, 2023, and the proposed action is within the scope of the Notice of Exemption filed on September 19, 2023.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be acted on as follows:

Acting as the Board of Directors, Flood Control and Water Conservation District:

- a) Received and reviewed;**
- b) Approved;**
- c) Directed; and**
- d) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-20) SHERIFF-CORONER OFFICE

24-00125

Consider recommendations regarding the Donation of Equipment from MOS Equipment, as follows: (4/5 Vote Required)

- a) Accept a donation of \$17,497.00 in technical equipment from MOS Equipment for the Santa Barbara Sheriff's Office Criminal Investigation Bureau (CIB);
- b) Approve Budget Revision Request No. 0009526 to increase appropriations of \$17,497.00 in Sheriff General Fund for Services and Supplies (upgraded CIB equipment) funded by a donation from MOS Equipment; and
- c) Determine that the above actions are not a project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4), finding that the action is not a project as it is the creation of a government funding mechanism or other government fiscal activity, which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be acted on as follows:

- a) Accepted; and**
- b) and c) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-21) TREASURER-TAX COLLECTOR-PUBLIC ADMINISTRATOR [24-00115](#)

Consider recommendations regarding the Treasurer's Investment Pool Report for the quarter that ended December 31, 2023 and Investment Policy Statement, as follows:

- a) Accept for filing the Treasurer's Investment Pool Report for the quarter ended December 31, 2023 pursuant to California Government Code Section 53646(b); and
- b) Review and approve the Investment Pool Policy Statement pursuant to California Government Code Section 53646.

A motion was made by Supervisor Nelson, seconded by Supervisor Williams, that this matter be acted on as follows:

- a) Accepted; and
- b) Reviewed and approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Board of Supervisors**A-22) SUPERVISOR WILLIAMS [24-00128](#)**

Approve the reappointment of Gerardo Cornejo to the Carpinteria Cemetery District Board of Trustees, term ending December 31, 2027, First District.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-23) SUPERVISOR NELSON [24-00129](#)

Approve the reappointment of Lee Diaz to the Santa Maria Cemetery District Board of Directors, term ending December 31, 2027, Fourth District.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-24) SUPERVISOR NELSON

[24-00130](#)

Approve the reappointment of Robert Engel to the Santa Maria Cemetery District Board of Directors, term ending December 31, 2027, Fourth District.

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

[24-00002](#)

Public Comment Period

THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (24-00002)

WHEN TESTIFYING BEFORE THE BOARD OF SUPERVISORS, PERSONAL ATTACKS AND OTHER DISRUPTIVE BEHAVIOR ARE NOT APPROPRIATE.

Re: Concerns with the Israel-Hamas War and Requests for the Board to Pass a Resolution to Call for Equal Rights for all People in Palestine – James Silva addressed the Board

Departmental Agenda
Planning Items and Public Hearings

1) **PUBLIC WORKS DEPARTMENT**

24-00010

HEARING - Consider recommendations regarding reports on Pavement Impact Studies related to: Utility Cuts, Heavy Vehicles (Refuse Collection Trucks, Mass Transit/Bus, Fire Trucks and Construction Vehicles) and Consider Options for Pavement Impact Mitigation, as follows:

- a) Receive and file reports on Pavement Impact Studies on Roads related to utility cuts and heavy vehicles (refuse collection trucks, mass transit/bus, fire trucks and construction vehicles);
- b) Provide direction to Public Works staff on whether to pursue each of the following Pavement Impact cost recovery measures:
 - i) Direct staff to implement a Pavement Cut Fee increase;
 - ii) Direct staff to implement a new Heavy Construction Load Development Impact Fee;
 - iii) Direct staff to work with Resource Recovery and Waste Management Division to investigate the feasibility of increasing the Solid Waste Program Fee to include compensation to the County for Heavy Load Road Impacts;
 - iv) Direct staff to work with the County Executive Office to explore a budget expansion request or other options for offsetting costs of pavement impacts caused by Mass Transit/Bus and Fire Trucks; or
- c) Provide other direction, as appropriate; and
- d) Determine that the recommended action is not a Project within the meaning of California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines, because the action is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 3/19/2024

A motion was made by Supervisor Williams, seconded by Supervisor Hartmann, that this matter be continued to March 19, 2024 in Santa Barbara: The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

2) COUNTY EXECUTIVE OFFICE24-00061

HEARING - Consider recommendations regarding the Annexation of Orcutt Gateway Retail Commercial Center/Key Site 2 (APN 129-280-001) to Orcutt Community Facilities District, Fourth District, as follows: (EST. TIME: 15 MIN.)

a) Certify the results of the Special Election and adopt a Resolution Declaring Results of Special Election and Directing Recording of Notice of Special Tax Lien;

b) Approve the introduction (first reading) of an Ordinance entitled "An Ordinance of the Board of Supervisors of the County of Santa Barbara Approving Annexation of Territory to Orcutt Community Facilities District (No. 2002-1) and Authorizing the Levy of Special Taxes Therein";

c) Read the title and waive further reading of the Ordinance; and

d) Set a hearing for February 13, 2024, on the Administrative Agenda to consider the adoption (second reading) of "An Ordinance of the Board of Supervisors of the County of Santa Barbara Approving Annexation of Territory to Orcutt Community Facilities District (No. 2002-1) and Authorizing the Levy of Special Taxes Therein", as follows:

On February 13, 2024, your Board's actions should include the following:

a) Consider the adoption (second reading) of "An Ordinance of the Board of Supervisors of the County of Santa Barbara Approving Annexation of Territory to Orcutt Community Facilities District (No. 2002-1) and Authorizing the Levy of Special Taxes Therein;" and

b) Determine that the adoption of the Ordinance is not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15378(b)(4), finding that the project is a creation of a governmental funding mechanism or other government fiscal activity, which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and direct staff to file a Notice of Exemption (NOE).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:04 AM - 10:07 AM (3 MIN.)

Received and filed staff presentation and conducted a public hearing.

A motion was made by Supervisor Nelson, seconded by Supervisor Hartmann, that this matter be acted on as follows:

a) Certified the results of the Special Election; Adopted

RESOLUTION NO. 24-21

b) Introduction (first reading) approved of an Ordinance entitled "An Ordinance of the Board of Supervisors of the County of Santa Barbara Approving Annexation of Territory to Orcutt Community Facilities District (No. 2002-1) and Authorizing the Levy of Special Taxes Therein";

c) Read title, waived further reading of the Ordinance; and

d) Set for February 13, 2024 on the Administrative Agenda to consider the adoption (Second Reading) of the Ordinance.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

3) AGRICULTURAL COMMISSIONER AND WEIGHTS & MEASURES DEPARTMENT, COUNTY EXECUTIVE OFFICE 24-00120

HEARING - Consider recommendations regarding KPMG’s Operational Performance Review of the Santa Barbara Agricultural Commissioner Department, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file a report on KPMG’s Operational and Performance Review of the Santa Barbara Agricultural Commissioner Department;
- b) Provide direction as appropriate; and
- c) Find that the proposed actions do not constitute a “Project” within the meaning of California Environmental Quality Act, pursuant to 14 CCR 15378(b)(2), as it consists of general policy and procedure making.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 10:07 AM - 10:39 AM (32 MIN.)

Received and filed staff presentation and conducted a public hearing.

A motion was made by Supervisor Williams, seconded by Supervisor Hartmann, that this matter be acted on as follows:

- a) Received and filed;**
- b) Provided; and**
- c) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

4) PUBLIC WORKS DEPARTMENT, COUNTY EXECUTIVE OFFICE [24-00119](#)

HEARING - Consider recommendations regarding KPMG’s Operational Performance Review of the Santa Barbara County Department of Public Works, as follows: (EST. TIME: 45 MIN.)

a) Receive and file a report on KPMG’s Operational and Performance Review of the Santa Barbara County Department of Public Works;

b) Provide direction as appropriate; and

c) Find that the proposed actions do not constitute a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378(b)(2), as it consists of general policy and procedure making.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 10:39 AM - 10:51 AM (12 MIN.)

Received and filed staff presentation and conducted a public hearing.

A motion was made by Supervisor Hartmann, seconded by Supervisor Nelson, that this matter be acted on as follows:

a) Received and filed;

b) Provided; and

c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

5) BEHAVIORAL WELLNESS DEPARTMENT, COUNTY EXECUTIVE OFFICE [24-00117](#)

HEARING - Consider recommendations regarding KPMG’s Operational Performance Review of the Santa Barbara County Crisis Services, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file a report on KPMG’s Operational and Performance Review of the Santa Barbara County Crisis Services;
- b) Receive and file a report on the State required Expanded Medi-Cal Mobile Crisis Services Benefit;
- c) Provide direction as appropriate; and
- d) Find that the proposed actions do not constitute a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378(b)(2), as it consists of general policy and procedure making.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 10:51 AM - 11:45 AM (54 MIN.)

Received and filed staff presentation and conducted a public hearing.

A motion was made by Supervisor Capps, seconded by Supervisor Hartmann, that this matter be acted on as follows:

- a) Received and filed;**
- b) Provided; and**
- c) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

6) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, WATER 24-00108
AGENCY, BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT

HEARING - Consider recommendations regarding a Countywide Potable Reuse Study and Laguna County Sanitation District Groundwater Recharge Evaluation, as follows: (EST. TIME: 30 MIN.)

Acting as the Board of Directors, Santa Barbara County Water Agency and the Board of Directors, Laguna County Sanitation District:

a) Receive and file two potable reuse studies entitled Countywide Potable Reuse Evaluation dated October 2023, and Groundwater Recharge Evaluation prepared by Carollo Engineers dated August 2023; and

b) Find that the proposed action does not constitute a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5), in that it is a government administrative activity that will not result in direct or indirect changes in the environment.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 11:45 AM - 12:18 PM (33 MIN.)

Received and filed staff presentation and conducted a public hearing.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be acted on as follows:

Acting as the Board of Directors, Santa Barbara County Water Agency and the Board of Directors, Laguna County Sanitation District:

a) Received and filed; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Adjourned at 12:54 PM

Adjourned to

Tuesday, February 13, 2024

County Administration Building
Board Hearing Room
105 East Anapamu Street , Fourth Floor
Santa Barbara

Challenges

IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.

Announcements

The meeting of Tuesday, February 6, 2024 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 8, 2024, at 5:00 PM and on Saturday, February 10, 2024, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>